

02-15-02

A/PLA7

PLANT PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
ANI-100US

Total Pages in this Submission

TO THE ASSISTANT COMMISSIONER FOR PATENTSBox Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new plant patent application for an invention entitled (include plant's name):

SHRUB ROSE PLANT NAMED "LADY ELSIE MAY"

and invented by:

Reinhard NOACK

J1000 U.S. PTO
10/075873
02/13/02If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. ☒ Filing fee
2. ☒ Specification having 7 page(s) (2 copies required - 37 CFR 1.163(b))
and including the following:
 - ☒ Descriptive title of the Invention (with Plant's name)
 - ☐ Cross References to Related Applications (if applicable)
 - ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - ☒ Background of the Invention
 - ☒ Brief Summary of the Invention
 - ☒ Brief Description of the Drawings
 - ☒ Detailed Botanical Description
 - ☒ Claim (only one (1) permitted MPEP 1605)
 - ☒ Abstract of the Disclosure

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Application Elements (Continued)

3. ☒ Drawing(s) in duplicate (as prescribed by 35 USC 165 and 37CFR 1.165(b))

☐ Drawings: ☐ Color ☐ Black and white

☒ Photographs: ☒ Color ☐ Black and white

Total Sheets: 1

4. ☒ Oath or Declaration

a. ☒ Newly executed (original or copy) ☐ Unexecuted

b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)

c. ☒ With Power of Attorney ☐ Without Power of Attorney

d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).

5. ☐ Incorporation By Reference (usable if Box 4b is checked)

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

Accompanying Application Parts

6. ☐ Plant Color Coding Sheet

7. ☒ Assignment Papers (cover sheet & document(s))

8. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)

9. ☐ English Translation Document (if applicable)

10. ☐ Information Disclosure Statement/PTO-1449 ☐ Copies of IDS Citations

11. ☐ Preliminary Amendment

12. ☒ Acknowledgment postcard

13. ☒ Certificate of Mailing

☐ First Class ☒ Express Mail (Specify Label No.): EL692168425US

14. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)

15. ☐ Verified Statement(s) to Establish Small Entity Status Under 37 C.F.R. 1.9 and 1.27.

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Accompanying Application Parts (Continued)

16. ☐ Additional Enclosures *(please identify below)*:

Fee Calculation and Transmittal

The filing fee for this plant patent application is calculated and transmitted as follows:

| | |
|--|----------|
| BASIC FEE | \$255.00 |
| OTHER FEE (specify purpose) _____ | \$0.00 |
| TOTAL FILING FEE | \$255.00 |

- ☒ A check in the amount of **\$255.00** to cover the total filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **18-0350** as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____ as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated:

Feb. 13, 2002

Bruce M. Monroe
Signature

Bruce M. Monroe
Reg. No. 33,602
RATNER & PRESTIA
P.O. Box 7228
Wilmington, Delaware 19803
phone: 302-479-9470
fax: 302-479-9480

cc:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Noack

Docket No.

ANI-100US


Serial No.
to be assignedFiling Date
herewithExaminer
unknownGroup Art Unit
unknownInvention: **SHRUB ROSE PLANT NAMED "LADY ELSIE MAY"**

I hereby certify that the following correspondence:

Plant application transmittal, specification & drawing (in duplicate), executed DEC, POA, Assignment, check for \$255, postcard

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

February 13, 2002*(Date)*Ruth Curran*(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)*EL692168425US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**